1 2 3 4 5 6 7 8 9 10	BRIGID M. HIGGINS, ESQ. Nevada Bar No. 5990 BLACK & LOBELLO 10777 W. Twain Avenue, Third Floor Las Vegas, Nevada 89135 (702) 869-8801 (702) 869-2669 (fax) bhiggins@blacklobello.law  SAUL S. ROSTAMIAN, ESQ. California Bar No. 235292 JUSTIN E. RAWLINS, ESQ. California Bar No. 209915 WINSTON & STRAWN LLP 333 S. Grand Avenue, 38th Floor Los Angeles, CA 90071 (213) 615-1700 SRostamian@winston.com	
12	JRawlins@winston.com Attorney for Appellant Dawgs Holdings, LLC	
13	UNITED STATES DISTRICT COURT	
14	DISTRICT OF NEVADA	
15 16	DAWGS HOLDINGS, LLC, Appellant	CASE NO: 2:20-CV-00261-JAD Appeal From:
17	v.	Appear From:
18	MOJAVE DESERT HOLDINGS, LLC;	United States Bankruptcy Court for the District of Nevada
19	GEMCAP LENDING 1, LLC,	Case No.: BK-S-180453-GS
20   21	Respondents.	Order Granting Motion to Voluntarily
22		Dismiss Appeal
23	Durguent to Foderal Bull. CD 1	[ECF No. 3]
24		Procedure 8023, appellant Dawgs Holdings, LLC
25	("Appellant") hereby moves the Court for an or	der dismissing the above captioned appeal.
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1 2	I. <u>FACTUAL BACKGROUND</u>
3	On February 4, 2020, Appellant filed its Notice of Appeal and Statement of Election in the
4	Bankruptcy Case of U.S.A. Dawgs, LLC, Case No. 18-10453, pending in the United States
5	Bankruptcy Court for the District of Nevada ("Bankruptcy Court") appealing the Order Denying
6	Dawgs Holdings, LLC Motion to Enforce Sale Order.
7	Appellant elected to have the appeal heard by this Court. The other parties designated as
8	parties to the appeal were Mojave Desert Holdings, LLC and GemCap Lending I, LLC.
9	On February 6, 2020, the Bankruptcy Court issues a Notice of Referral on Appeal To
10 11	United States District Court.
12	On February 6, 2020, the Transmittal Form was entered by the Bankruptcy Court.
13	The Appellant has not filed a Designation of Record or Statement of Issues on Appeal.
14	Appellant has elected not to pursue the appeal. Given this early stage in the appeal, other
15	parties to the appeal have not expended costs to appear or otherwise.
16	II.
17	LEGAL ANALYSIS
18	Pursuant to Bankruptcy Rule 8023 provides:
19	The clerk of the district court or BAP must dismiss an appeal if the parties file a signed
20	dismissal agreement specifying how costs are to be paid and pay any fees that are due. An appeal may be dismissed on the appellant's motion on terms agreed to by the parties or
21 22	fixed by the district court or BAP.
23	Given the infancy of the appeal and Appellant's decision not to pursue the appeal, Appellant
24	respectfully requests that the appeal be dismissed.
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Based on the foregoing, Appellant hereby requests that the Court dismiss the appeal.  Dated this of February, 2020.  BLACK & LOBELLO  Brigid M. Higgins, Esq. Nevada Bar No. 5990 10777 W. Twain Avenue, 3rd Fl. Las Vegas, NV 89135  WINSTON & STRAWN LLP  Saul S. Rostamian 33 S. Grand Avenue Los Angeles, CA 900071-1543  Attorneys for Appellant Dawgs Holding, LLC  Order Granting Motion to Voluntarily Dismiss Appeal  Good cause appearing, IT IS HEREBY ORDERED that Appellant's Motion for Voluntary Dismissal of this Bankruptey Appeal [ECF No. 3] is GRANTED. This action is DISMISSED.		
Based on the foregoing, Appellant hereby requests that the Court dismiss the appeal.  Dated this / of February, 2020.  BILACK & LOBELLO  By:  Brigid M. Higgins, Esq.  Nevada Bar No. 5990  10777 W. Twain Avenue, 3rd Fl.  Las Vegas, NV 89135  WINSTON & STRAWN LLP  Saul S. Rostamian  33 S. Grand Avenue  Los Angeles, CA 900071-1543  Attorneys for Appellant Dawgs Holding, LLC  Order Granting Motion to Voluntarily Dismiss Appeal  Good cause appearing, IT IS HEREBY ORDERED that Appellant's Motion for Voluntary Dismissal of this Bankruptcy Appeal [ECF No. 3] is GRANTED. This action is DISMISSED.	1	
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BLACK & LOBELLO  By:  Brigid M. Higgins, Eq. Nevada Bar No. 5990 10777 W. Twain Avenue, 3 <sup>rd</sup> Fl. Las Vegas, NV 89135  WINSTON & STRAWN LLP  Saul S. Rostamian 33 S. Grand Avenue Los Angeles, CA 900071-1543  Attorneys for Appellant Dawgs Holding, LLC  Order Granting Motion to Voluntarily Dismiss Appeal  Good cause appearing, IT IS HEREBY ORDERED that Appellant's Motion for Voluntary Dismissal of this Bankruptcy Appeal [ECF No. 3] is GRANTED. This action is DISMISSED.  U.S. District Judge Jeanifer A Dorsey Dated: February 17, 2020	3	Based on the foregoing, Appellant hereby requests that the Court dismiss the appeal.
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Brigid/M. Higgins, Esq. Nevada Bar No. 5990 10777 W. Twain Avenue, 3rd Fl. Las Vegas, NV 89135  WINSTON & STRAWN LLP  Saul S. Rostamian 33 S. Grand Avenue Los Angeles, CA 900071-1543  Attorneys for Appellant Dawgs Holding, LLC  Order Granting Motion to Voluntarily Dismiss Appeal  Good cause appearing, IT IS HEREBY ORDERED that Appellant's Motion for Voluntary Dismissal of this Bankruptcy Appeal [ECF No. 3] is GRANTED. This action is DISMISSED.  U.S. District Judge Jennifer A Dorsey Dated: February 17, 2020		
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<ul> <li>23</li> <li>24</li> <li>25</li> <li>26</li> </ul>	22	
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